Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
February 1, 2021	East Patrol Division/Industry Station	☑	☑

Incident Information

URN: 018-14293-1410-058	Date: November 1, 2018 Time: 0322
City or Station: Industry Station	Nature of Incident: Deputy McZeal was involved in a physical altercation with a domestic violence suspect. Deputy McZeal shot the suspect multiple times when the suspect attempted to disarm him.
Location: [redacted], Industry, CA 91744	

Location Type (*check one or more*):
- ☐ Backyard
- ☐ Beach
- ☑ Business
- ☐ Freeway
- ☑ Industrial
- ☐ Park
- ☐ Parking Lot
- ☐ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other: ______

Lighting (*check only one*):
- ☐ Darkness
- ☐ Daylight
- ☐ Other
- ☑ Street Lights

Weather (*circle only one*):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 1 Feet

Incident Type (*check one or more*):
- ☐ Accidental
- ☐ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☑ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☑ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other: ______

Initiated by (*check only one*):
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (*check only one*):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
3	0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Barrera	Armando	F.	☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.			
[redacted]	[redacted]				
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
[redacted]	[redacted]	[redacted]			
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	
[redacted]	[redacted]	[redacted]			
Street Address: [redacted]	City: [redacted]	Zip Code: [redacted]	Work Ph: [redacted]	Home Ph: [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Gomez	Samuel	J.	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
[redacted]	Reynaga	Hugo		☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Rodriquez	Troy	W.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Smitson	Eric	C.

PSTD Use Only

SH # 2467505

Officer Involved Shooting URN: 018-14293-1410-058

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
November 1, 2018	0521		

Employee #	Last Name	First Name	M.I.
[redacted]	Arellano	Thomas	M.
[redacted]	Alvarez	Irys	D.
[redacted]	Kopperud	Ronald	W.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	PO					AB	AR
E#1	S#1	FH	SW	9	Y	Y	GS	AD

Officer Involved Shooting
Involved Employee Information

URN: 018-14293-1410-058

Involved Employee

E 1

Employee # [redacted]	Last Name McZeal	First Name Clarence	M.I.
Sex: M Race: B	Rank: Deputy	Unit Assignment: Industry Station	Work Assignment (Unit #, Module, etc.): 141K2
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'08"	Weight: 165		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Smith &Wesson	Caliber 9 # Shots 3	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber # Shots	Weapons Fired Brand:	Caliber # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 018-14293-1410-058

Suspect Information

S 1

Last Name: Franco		First Name: Rashaad	M.I. T.
AKA Last Name:		First Name:	M.I.
Sex: M Race: B	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 30 D.O.B. 11/26/1987	Height: 6'00" Weight: 250	FBI # [redacted]	CII # [redacted]
Booking # 5466172	Primary Charge: 245(C)	Secondary Charge: 273.5 (a), 236, 148(d)	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☑	Substance Used: Methamphetamine
Armed? ☐	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: Ford Model: Fusion	Year: 2014	Parole: [redacted] Probation: [redacted]	Prior Felony Conviction: [redacted]

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting, Suspect Injured**

IAB FILE #: **SH2467505 / FO2524927**

URN #: **018-14293-1410-058**

DATE/TIME: **November 1, 2018 / 0322 hours**

LOCATION: [redacted]**, Industry**

On November 1, 2018, Internal Affairs Bureau (IAB) Force and Shooting Rollout Team, comprised of Lieutenant Ronald Kopperud, #[redacted], Sergeant Thomas Arellano, #[redacted], and Sergeant Irys Alvarez, #[redacted], responded to [redacted] in the city of Industry regarding an on-duty deputy involved shooting. Suspect Rashaad Franco (Suspect Franco) sustained a gunshot wound to his abdomen and chest. Suspect Franco was subsequently transported to the Los Angeles County USC Medical Center where he was treated for his injuries. On January 6, 2020, this case was reassigned to Sergeant Alfredo Salazar, #[redacted], and later reassigned to Sergeant Troy Rodriquez on January 29, 2020.

Lieutenant Ronald Kopperud confirmed the on-duty watch commander, Lieutenant Hugo Reynaga, #[redacted], took reasonable steps to ensure the involved and witness personnel did not discuss the incident amongst themselves, or other involved persons prior to being interviewed by the assigned investigators. In addition, Lieutenant Kopperud confirmed the involved personnel gathered in the company of a supervisor until they provided a statement to the assigned investigators.

Detectives Karen Shonka, #[redacted], and Mark Perez, #[redacted], under the supervision of Lieutenant Scott Hoglund, #[redacted], from the Department's Homicide Bureau, arrived and assumed control of the shooting investigation. Information regarding the shooting investigation was included in the Homicide Bureau casebook under Uniform Report Number 018-14293-1410-058 **[Exhibit A]**.

SYNOPSIS

On November 1, 2018, at approximately 0322 hours, Deputy McZeal was working uniformed patrol as Unit 141K2 while assigned to Industry Station. Deputy McZeal was

inside a [redacted] store located at [redacted], Industry, conversing with a [redacted], Witness [redacted]. During the conversation, they saw a vehicle exit the freeway, jump the curb in front of the [redacted], hit a signage pole, and collide into a parked vehicle in the parking lot of the location.

Deputy McZeal exited the store to ascertain the condition of the vehicle's occupants and investigate the crash. Witness [redacted] exited the vehicle from the front passenger's seat while she yelled at the driver (Suspect Franco) of the vehicle. Witness [redacted] ignored Deputy McZeal's presence, walked past him and entered the [redacted] Suspect Franco exited the driver's seat, came around the vehicle, and angrily yelled at Witness [redacted]

Deputy McZeal attempted to deescalate the situation by speaking to Suspect Franco. Suspect Franco mumbled incoherently while he paced back and forth, appearing to ignore Deputy McZeal's presence. Deputy McZeal asked Suspect Franco if the vehicle he crashed belonged to him. Suspect Franco responded to the question by asking Deputy McZeal if his patrol vehicle belonged to him. Based on Suspect Franco's behavior and mannerisms, Deputy McZeal requested an available unit to respond to his location, over the L-Tac frequency, regarding a traffic collision and a possible domestic violence investigation.

While Deputy McZeal spoke to Suspect Franco, he (Franco) walked near Deputy McZeal's patrol vehicle. Deputy McZeal believed Suspect Franco might enter his patrol vehicle and gain access to the shotgun and/or other items inside. Deputy McZeal stepped toward Suspect Franco to regain his attention. Suspect Franco lunged at Deputy McZeal and grabbed him with one hand on each shoulder. Suspect Franco slid his left hand down to Deputy McZeal's waist while still holding onto him with his right hand. Deputy McZeal felt Suspect Franco was trying to physically control him and positioned his hand on Deputy McZeal's handgun. Deputy McZeal believed Suspect Franco was trying the remove his handgun from his holster and was going to shoot him. Deputy McZeal feared for his life, pushed Suspect Franco back, removed his handgun from the holster and discharged his handgun. Deputy McZeal fired three rounds at Suspect Franco from a distance of one to two feet. Suspect Franco turned and ran into the [redacted]

Deputy Barrera arrived on scene and he and Deputy McZeal broadcast that a deputy involved shooting occurred. Deputy McZeal followed Suspect Franco into the store followed by Deputy Barrera. Inside the store, Suspect Franco pushed the door open and forced himself into a break room and took Witness [redacted] hostage. Upon exiting the room, Suspect Franco held Witness [redacted] in front of him while he faced the deputies. Deputies McZeal and Barrera were able to grab Witness [redacted] and pull her free from Suspect Franco's grasp and she ran out of the store. Deputies McZeal and Barrera handcuffed Suspect Franco and placed a hobble around his ankles.

The Los Angeles County Fire Department and paramedics arrived on scene and transported Suspect Franco to Los Angeles County USC Medical Center where he was treated for his injuries.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Los Angeles County District Attorney's Office reviewed the shooting of Suspect Franco by Deputy McZeal. In their letter of opinion, dated February 25, 2020, Deputy District Attorney Shannon Presby concluded Deputy McZeal acted in lawful self-defense **[Exhibit D]**.

INVOLVED PERSONNEL AND WORK HISTORY

Clarence McZeal, Deputy Sheriff, #[redacted]

East Patrol Division
Industry Sheriff Station

Date of Employment:	January 10, 1996
Date Assigned to Patrol Industry Station:	March 13, 2005
Date Completed Patrol Training:	[redacted]
Prior Shooting Incident(s):	
Prior Founded Force Incidents:	

EQUIPMENT WORN ON PERSON

On November 1, 2018, Deputy McZeal was wearing his long sleeve "Class A" uniform with a protective vest and Sam Browne duty belt. The equipment worn on his duty belt included his Smith & Wesson M&P 9mm firearm, two loaded Department issued magazines, handcuffs, expandable baton, handheld radio, oleoresin capsicum (OC) spray and keys **[Miscellaneous Documents]**.

SUSPECT INFORMATION

Rashaad Franco – Male, Black, DOB: 11/26/1987, 6'00", 250 lbs. [redacted], CII #[redacted], FBI #[redacted], MAIN #[redacted]

The Consolidated Criminal History Reporting System (CCHRS) revealed [redacted] Suspect Franco's Consolidated Criminal History Report was included on the casebook **[Miscellaneous Documents]**.

SUSPECT INJURIES

Suspect Franco sustained two gunshot wounds, one to the chest and another to the abdomen. Suspect Franco was treated at the Los Angeles County USC Medical Center **[Miscellaneous Documents]**.

DEPUTY PERSONNEL INJURIES

Deputy McZeal suffered an approximate five inch abrasion on his left forearm.

PHYSICAL EVIDENCE

All physical evidence was located and collected by Homicide Bureau and Scientific Services Bureau personnel. A description of the evidence collected and where it was collected was included in the Homicide Bureau casebook **[Exhibit A, Pages 106-113]**. Photographs **[Exhibit C]** of the scene were taken and video surveillance footage **[Exhibit B]** was collected.

INVESTIGATORS OBSERVATIONS

The scene was described in detail by Homicide Bureau Investigators Gary Sloan, #[redacted], and Brandt House, #[redacted], and documented with photographs. The scene description covered the entire incident and shooting location. The descriptions were consistent with the observations of the IAB investigators who responded.

Forensic Identification Specialist Dave Ozeta, #[redacted], and Deputy John Chun, #[redacted], with the Department's Scientific Services Bureau, assisted Homicide Bureau investigators with the processing of the scene **[Exhibit A, Pages 106-113]**. Their description of the scene was consistent with the initial IAB investigator's observations. The scene was photographed by Scientific Services Bureau personnel **[Exhibit C]**.

WEAPON USED BY DEPUTY MCZEAL

Deputy McZeal fired three rounds of Department issued 9mm ammunition from his Department approved Smith & Wesson M&P, semi-automatic pistol, serial number HRH[redacted]. The firearm was examined by Homicide Investigators Perez and Shonka. On November 1, 2018, Homicide Bureau Investigators Perez and Shonka conducted a round count of Deputy McZeal's firearm. The firearm contained fifteen rounds (fourteen rounds in the magazine and one in the chamber). Prior to the shooting, Deputy McZeal was carrying his firearm with seventeen rounds in the magazine and one in the chamber. The firearm was later released to Deputy Chun, Scientific Services Bureau, who subsequently booked the firearm into evidence for further examination. Deputy McZeal's firearm was found to be functional. The Scientific Services Bureau's Test Fire and Function Report was included in the Homicide Bureau casebook **[Exhibit A, Page 100]**.

WEAPON USED BY SUSPECT

None

PROPERTY DAMAGE

None

CRIMINAL INVESTIGATION

Suspect Franco is currently in custody at Men's Central Jail, Booking Number 5466172, with a pending court date of February 17, 2021, under Case Number KA11966401. Suspect Franco was charged with the following Penal Code sections: 245(C), Assault with a Deadly Weapon on a Peace Officer; 210.5, False Imprisonment of Hostage; 236, False Imprisonment; 148(D), Attempt to Disarm a Peace Officer.

LIGHTING AND WEATHER CONDITIONS

This incident took place in the early morning hours. The only lighting available was artificial ambient light from the street lights, store lights and lights above the gas pumps at the location.

VIDEO SURVEILLANCE RECORDINGS

IAB investigators reviewed the surveillance footage recordings captured by cameras mounted at [redacted] **[Exhibit B]**. The video surveillance recordings' time stamps are not accurate. The referenced times below are the elapsed times on the video file. The following is a synopsis from segments of the video surveillance recordings from the file titled 18K003. An additional timeline of the surveillance footage was included in the Homicide Bureau casebook **[Exhibit A, Pages 100-104]**.

Camera 12 (CH12_202502210402 / WMV File)

49:05 Suspect Franco exited the 605 Freeway, jumped the curb, hit signage and collided with a parked [redacted] in the [redacted] parking lot.

IAB NOTE: Video surveillance recordings from Camera 12 are from a different angle than those from Camera 4.

Camera 4 (CH04_20250205210130 / WMV File)

24:30 Deputy McZeal arrived at [redacted] store parking near the front doors.

25:42 Deputy McZeal entered the store.

51:45 Deputy McZeal exited the store and walked toward the traffic collision.

51:59 Witnesses [redacted] and [redacted] exited the store to observe what occurred and walk towards the traffic collision.

52:38 Witnesses [redacted], [redacted] and [redacted] entered the [redacted]

53:14 Deputy McZeal was seen walking towards the entrance of [redacted] while he spoke with Suspect Franco. Suspect Franco paced back and forth in front of Deputy McZeal. Suspect Franco began walking towards Deputy McZeal and closed the distance between them.

53:37 Witness [redacted] exited [redacted] and stood near the front doors.

53:46 Suspect Franco reached toward Deputy McZeal with his right hand. Deputy McZeal redirected Suspect Franco's hand and arm away from him.

53:54 Witness [redacted] exited [redacted]

53:57 Suspect Franco reached with his right hand towards Deputy McZeal. Deputy McZeal redirected his hand and arm away.

54:01 Deputy Barrera's patrol vehicle was seen responding with flashing lights.

54:07 Suspect Franco lunged at Deputy McZeal and grabbed at his gun belt. Deputy McZeal appeared to push him away and Suspect Franco again lunged at Deputy McZeal. Deputy McZeal extended his left arm, drew his firearm, and fired his duty weapon at Suspect Franco.

54:13 Deputy Barrera's patrol vehicle pulled up to Deputy McZeal and Suspect Franco. Witness [redacted] stood on the sidewalk in front of [redacted] and watched the alteration between Deputy McZeal and Suspect Franco. Witness [redacted] ran inside the front doors of [redacted]

54:16 Suspect Franco ran inside [redacted] followed by Deputy McZeal. Deputy Barrera exited his patrol vehicle, utilized his portable radio, and followed Deputy McZeal and Suspect Franco, stopping at the threshold of the front doors of [redacted]

54:39 Witness [redacted] exited [redacted] and Witness [redacted] walked out of camera view toward the location of the traffic collision.

56:02 Witness [redacted] ran out of [redacted] and met with Witness [redacted] outside on the sidewalk.

1:00:14 Witness Fuqua arrived at the location and entered the front doors of the [redacted]

1:00:20 Sergeant Gomez arrived on scene and entered the store carrying a Taser.

1:00:51 Additional units arrived on scene.

1:04:36 Los Angeles County Fire Department personnel arrived on scene.

Camera 5 (CH05_20250205202905 / WMV File)

1:26:43 Witness [redacted] ran from behind the register towards to employee break room.

1:27:15 Witness [redacted] was seen being held from behind by Suspect Franco as she tried to run from him. Suspect Franco pulled Witness [redacted] backwards as Deputy McZeal reached toward Witness [redacted] Deputy McZeal's firearm was drawn and he appeared to be talking to Suspect Franco.

1:28:05 Deputy Barrera appears and reached for something low towards the floor and out of view.

1:28:21 Witness [redacted] was seen grabbing onto the leg of Deputy Barrera as it appeared he pulled her away from Suspect Franco and she ran outside.

1:32:52 Witness Fuqua walked up behind Deputies McZeal and Barrera.

1:33:10 Sergeant Gomez was present with Deputies McZeal, Barrera and Fuqua.

Camera 7 (CH07_20250205212640 / WMV File)

29:11 Witness [redacted] entered the break room and tried to close the door. Witness [redacted] braced herself against the door and appeared to struggle to close it fully.

29:17 Suspect Franco pushed himself into the break room and the door closed. Witness [redacted] tried to open the door and Suspect Franco closed it.

29:35 Suspect Franco opened the break room door and Witness [redacted] walked out in front of him. Suspect Franco grabbed Witness [redacted] around her waist, from behind, once they exited the break room.

29:49 Witness [redacted] fell backward with Suspect Franco behind her in the hallway. Suspect Franco sat on the floor while he held Witness [redacted] in front of him.

30:43 Suspect Franco struggled to hold onto Witness [redacted] Suspect Franco stumbled backwards and fell through the open door into the break room. Suspect Franco crawled out into the hallway and laid on the floor.

35:32 Suspect Franco rolled onto his stomach and was handcuffed by Deputy McZeal and Deputy Barrera.

36:14 Deputy Barrera applied a hobble to Suspect Franco's ankles.

Camera 3 (Ch03_20250205210901 / WMV File)

46:42 Witness [redacted] stood behind the register, looked towards the front windows, and covered her face with her hands.

46:44 Witness [redacted] appeared to enter [redacted], and she and Witness [redacted] ran towards the location's break room, inside the store.

46:47 Suspect Franco ran inside, and toward the back, of the store; in the same direction Witnesses [redacted] and [redacted] were running.

46:51 Deputy McZeal appeared in the camera frame, talking on his portable radio, and walked in the direction Suspect Franco.

47:19 Deputy McZeal walked towards the store's break room, followed moments later by Deputy Barrera who appeared to be utilizing his portable radio.

48:30 Witness [redacted] ran from the break room area towards the front doors of [redacted]

52:49 Deputy Fuqua walked towards the store break room, where Deputies McZeal and Barrera were detaining Suspect Franco.

53:06 Sergeant Gomez was seen carrying a Taser and walked towards the break room and deputies.

STATEMENTS

The following narratives are intended only as a summation of the actual interviews. Additional information and the precise wording may be obtained by reviewing the digital audio recorded and verbatim transcriptions. IAB Investigators reviewed all reports authored by involved Department personnel.

INVOLVED EMPLOYEE STATEMENTS

Deputy Clarence McZeal

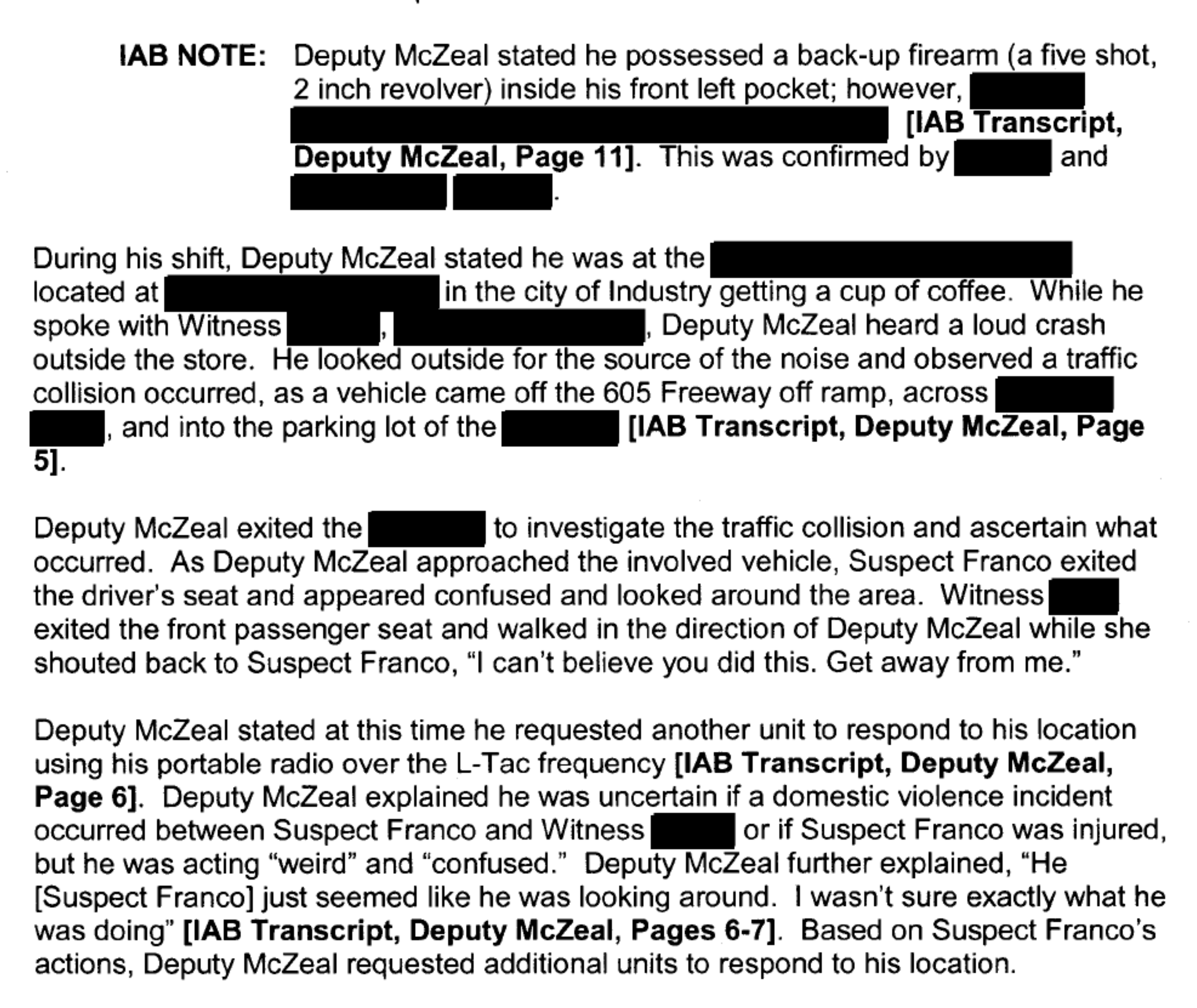
On November 1, 2018, Deputy Clarence McZeal, was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide Bureau casebook **[Exhibit A, Pages 92-94]** and an interview transcript was included in the IAB casebook **[Homicide Bureau Transcript, Deputy McZeal]**.

On January 22, 2021, Deputy McZeal was interviewed at Internal Affairs Bureau by Sergeants Troy Rodriquez and Victor Puebla. Deputy McZeal was represented by attorney Michael Schwartz of Rains, Lucia, and Stern.

On November 1, 2018, Deputy McZeal was assigned to Industry Station, EM Shift, Unit 141K2. During his interview with IAB investigators, Deputy McZeal was shown photographs taken of him in his uniform after the shooting and the interior of his vehicle by Scientific Services Bureau **[Miscellaneous Documents]**. The items were shown to Deputy McZeal to assist with his recollection of what he was wearing, the day of the incident, and to determine the less lethal options available to him.

IAB NOTE: During the IAB investigator's review of Deputy McZeal's photograph, taken of his uniform, an Oleoresin Capsicum spray holder was not seen.

Deputy McZeal described his uniform, firearms and the less lethal options to IAB investigators. Deputy McZeal stated he had Oleoresin Capsicum spray with him; however, his Taser was located inside his patrol vehicle. Deputy McZeal explained, on the day of the incident, there was not a Taser holster available at Industry Station for him to utilize and wear on his person.



IAB NOTE: Deputy McZeal stated he possessed a back-up firearm (a five shot, 2 inch revolver) inside his front left pocket; however, [redacted] **[IAB Transcript, Deputy McZeal, Page 11]**. This was confirmed by [redacted] and [redacted] [redacted].

During his shift, Deputy McZeal stated he was at the [redacted] located at [redacted] in the city of Industry getting a cup of coffee. While he spoke with Witness [redacted], [redacted], Deputy McZeal heard a loud crash outside the store. He looked outside for the source of the noise and observed a traffic collision occurred, as a vehicle came off the 605 Freeway off ramp, across [redacted], and into the parking lot of the [redacted] **[IAB Transcript, Deputy McZeal, Page 5]**.

Deputy McZeal exited the [redacted] to investigate the traffic collision and ascertain what occurred. As Deputy McZeal approached the involved vehicle, Suspect Franco exited the driver's seat and appeared confused and looked around the area. Witness [redacted] exited the front passenger seat and walked in the direction of Deputy McZeal while she shouted back to Suspect Franco, "I can't believe you did this. Get away from me."

Deputy McZeal stated at this time he requested another unit to respond to his location using his portable radio over the L-Tac frequency **[IAB Transcript, Deputy McZeal, Page 6]**. Deputy McZeal explained he was uncertain if a domestic violence incident occurred between Suspect Franco and Witness [redacted] or if Suspect Franco was injured, but he was acting "weird" and "confused." Deputy McZeal further explained, "He [Suspect Franco] just seemed like he was looking around. I wasn't sure exactly what he was doing" **[IAB Transcript, Deputy McZeal, Pages 6-7]**. Based on Suspect Franco's actions, Deputy McZeal requested additional units to respond to his location.

IAB NOTE: Deputy McZeal stated he utilized L-Tac to make the request, for an additional unit, because he and Deputy Barrera had a prior conversion and he knew Deputy Barrera was close to his location **[IAB Transcript, Deputy McZeal, Page 8]**.

Deputy McZeal further explained he tried to maintain a distance of approximately five feet from Suspect Franco for safety reasons. Deputy McZeal attempted to ascertain if Suspect Franco was alright, as a result of the traffic collision, and if he needed medical attention. Suspect Franco mumbled, as if he spoke to Deputy McZeal, but did not really speak to him. Based on Suspect Franco's actions, Deputy McZeal thought Suspect Franco was possibly under the influence of some type of drug. Without provocation, Suspect Franco lunged at Deputy McZeal and grabbed him around the shoulders. Deputy McZeal gave Suspect Franco orders to stop, but he did not comply. Suspect Franco maneuvered his hands from Deputy McZeal's shoulders to his waist area and Deputy McZeal felt Suspect Franco's "hand on his gun" and he was "trying to remove" it from the holster **[Homicide Bureau Interview, Deputy McZeal, Pages 16-19 and IAB Transcript, Pages 29-30]**.

Deputy McZeal felt if Suspect Franco removed his gun out of the holster he would use the gun and shoot him. Deputy McZeal used his left forearm and hand and pushed Suspect Franco away from him to create distance and allow him to draw his firearm from the holster and shoot Suspect Franco. Deputy McZeal stated he estimated firing three rounds in succession from the hip area and in one continuous act and thought. Deputy McZeal stopped firing when Suspect Franco turned and ran into the [redacted] and was no longer a threat **[IAB Transcript, Pages 13-15, and 31-32]**. Deputy McZeal described his backdrop during the shooting as a parking lot with some parked vehicle and an empty parking lot beyond that.

Deputy McZeal used his portable radio and broadcasted he was involved in a deputy involved shooting, his location and that Suspect Franco ran into [redacted]

IAB NOTE: Deputy McZeal stated he momentarily lost sight of Suspect Franco when he turned down the hallway and was not certain if he went into the break room or the restroom.

Deputy McZeal did not recall seeing Deputy Barrera arrive on scene prior to Suspect Franco running into the store. Deputy McZeal saw Suspect Franco emerge from the [redacted] employee break room holding Witness [redacted] from behind and in front of himself. Deputy McZeal and Deputy Barrera approached Suspect Franco as he held Witness [redacted] Deputy McZeal spoke with Suspect Franco and tried to convince him to let go of Witness [redacted], while Deputy Barrera broadcasted status updates over the radio.

Deputy McZeal continued to order Suspect Franco to release Witness [redacted] and to get on his stomach. Additionally, Deputy McZeal told Suspect Franco, "You've been shot. We need to get you medical attention." Deputy McZeal described Suspect Franco as

appearing to weaken from being shot. Deputy McZeal and Deputy Barrera used this opportunity and reached out and grabbed Witness [redacted] and pulled her away from Suspect Franco **[IAB Transcript, Pages 20-21]**.

Deputy McZeal further explained Suspect Franco was on the floor and he gave him commands to roll over onto his stomach. Eventually, Suspect Franco complied and rolled onto his stomach. Deputy McZeal and Deputy Barrera approached and handcuffed Suspect Franco behind his back. Due to Suspect Franco kicking his legs around Deputy Barrera applied a hobble to Suspect Franco's ankles. Deputy McZeal was unable to recall if Suspect Franco was resistive to being handcuffed or while the hobble was applied.

IAB Note: Deputy McZeal was read the video admonishment and shown [redacted] store surveillance camera footage of the incident to assist in his recollection **[Exhibit B]**.

After watching the video surveillance, Deputy McZeal stated he did not recall checking to ensure his car door was secured or that Suspect Franco attempted to open the patrol vehicle's driver's side door. Deputy McZeal also saw that Suspect Franco continuously attempted to close the distance between the two of them.

Deputy McZeal further explained he did not feel there was anything he would have done differently regarding the incident, but was concerned regarding his tunnel vision with Suspect Franco and the loss of visual contact with Witness [redacted]

WITNESS EMPLOYEE STATEMENTS

Deputy Armando Barrera

On November 1, 2018, Deputy Armando Barrera, was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide casebook **[Exhibit A, Pages 92-94]** and an interview transcript was included in the IAB casebook **[Homicide Bureau Transcript, Deputy Barrera]**.

On December 16, 2020, Deputy Barrera was interviewed at Internal Affairs Bureau by Sergeants Troy Rodriquez and Victor Puebla. Deputy Barrera was represented by attorney Michael Schwartz of Rains, Lucia, and Stern.

On November 1, 2018, Deputy Barrera was assigned to Industry Station, EM Shift, Unit 141K1. Deputy Barrera stated he was in the area of the [redacted] store located at [redacted] in the city of Industry when he heard Deputy McZeal's request for a unit to respond to his location over the radio, on the L-Tac frequency. Deputy Barrera replied over the radio that he was around the corner and would be there in a minute.

Deputy Barrera described Deputy McZeal's tone over the radio, when he requested an additional unit, as "scared" and "short," unlike his usual requests. Deputy Barrera worked with Deputy McZeal for several years and stated Deputy McZeal's radio demeanor "sent chills down my arm." Deputy Barrera was uncertain if he responded Code-3 and reiterated, he was literally just around the corner from Deputy McZeal's location **[IAB Transcript, Deputy Barrera, Pages 5-6]**.

Upon his arrival to the [redacted], Deputy Barrera saw Deputy McZeal engaged in a fight with Suspect Franco. Deputy Barrera described Suspect Franco as having both arms around Deputy McZeal's back and waist area and they were struggling while facing each other **[IAB Transcript, Deputy Barrera, Pages 6-7]**.

Deputy Barrera parked his vehicle a few feet from the [redacted] island at the location. Deputy Barrera exited his vehicle and saw Deputy McZeal push Suspect Franco away from him with both hands. Suspect Franco was still within an arm's reach of Deputy McZeal and continued to extend his arms toward Deputy McZeal **[Homicide Bureau Interview, Deputy Barrera, Transcript, Pages 14-17]**. Deputy McZeal had his left arm up in front of his body, a bladed stance with his gun side back and away from Suspect Franco. Deputy Barrera further explained Deputy McZeal un-holstered his handgun and fired two or three rounds from the hip at Suspect Franco. Suspect Franco backed away from Deputy McZeal and ran into the [redacted]

Deputy Barrera stated he broadcasted radio traffic regarding the deputy involved shooting at the same time as Deputy McZeal. Deputy Barrera made contact with Deputy McZeal and checked on his welfare. Deputy Barrera stated a plan was not established before entry was made into [redacted] Deputy Barrera further stated he took over the radio broadcast responsibility for himself and Deputy McZeal throughout the incident. Deputy Barrera provided updates and requested the fire department to respond to treat Suspect Franco.

Upon entering the store with Deputy McZeal, they saw Suspect Franco holding Witness [redacted] as a hostage in what he described as a "choke hold." Deputy McZeal and Deputy Barrera detained Suspect Barrera at gunpoint and Deputy McZeal gave Suspect Franco commands to get on the floor and release Witness [redacted] **[Homicide Bureau Transcript, Deputy Barrera, Page 21]**.

Deputy Barrera stated Suspect Franco appeared to be weak and lowered himself to the floor. Witness [redacted] leaned towards the deputies and they pulled her away from Suspect Franco's grasp. Deputy Barrera guided her away from Suspect Franco and out of the location. Suspect Franco rolled onto his stomach and Deputy Barrera and Deputy McZeal approached and handcuffed him. Deputy Barrera handcuffed Suspect Franco's right hand while Deputy McZeal took control of and handcuffed his left hand. Deputy Barrera further stated Suspect Franco would not stay still and continuously moved around on the floor. Deputy Barrera placed a hobble on Suspect Franco's ankles to secure him and prevent him from further moving around. Deputy Barrera explained Suspect Franco was not resistive during the application of the handcuffs or

the hobble restraint **[IAB Transcript, Deputy Barrera, Pages 9-11]**. Deputy Barrera explained he held the hobble restraint until Deputy Fuqua took control of the hobble and then he (Deputy Barrera) went outside the store.

> **IAB NOTE:** Deputy Barrera was read the video admonishment and shown [redacted] store surveillance camera footage **[Exhibit B]** of the incident to assist in his recollection.

After watching the videos, it provided Deputy Barrera with a greater recollection and perception of the incident. Deputy Barrera saw he arrived on the scene of the shooting with his overhead lights on. He stated when he drives with his overhead lights on, his siren is also activated.

Deputy Ryan Fuqua

On November 1, 2020, Witness Deputy Ryan Fuqua was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide Bureau casebook **[Exhibit A, Pages 95-97]** and an interview transcript was included in the IAB casebook **[Homicide Bureau Transcript, Deputy Ryan Fuqua]**.

Witness Deputy Fuqua stated he was parked across from Industry Station when he heard an emergent radio broadcast from Deputy McZeal. Witness Deputy Fuqua responded to the indicated location of the [redacted] store located at [redacted] in the city of Industry. When Deputy Fuqua arrived at the location, he saw two females sitting in front of the [redacted] and heard on the radio that Deputy McZeal and Deputy Barrera were inside location and in the back of the store.

Witness Deputy Fuqua entered the [redacted] with Sergeant Gomez and saw Deputies McZeal and Barrera detaining Suspect Franco who was on the floor. Sergeant Gomez gave Deputy Fuqua a Taser as Suspect Franco was handcuffed by Deputies McZeal and Barrera. Due to Suspect Franco rolling around and moving his body, Deputy Barrera placed a hobble around the ankles of Suspect Franco.

Los Angeles County Fire Department personnel entered [redacted] and began to treat Suspect Franco. Deputy Fuqua assisted the fire department personnel with lifting Suspect Franco onto the gurney for transportation. Witness Deputy Fuqua removed the handcuffs and hobble from Suspect Franco at the request of the fire department to allow them to treat him.

<u>CIVILIAN WITNESS STATEMENTS</u>

Witness [redacted]

On November 1, 2018, Witness [redacted] was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide

Bureau casebook **[Exhibit A, Pages 91-92]** and an interview transcript was included in the IAB casebook **[Homicide Transcript, [redacted]]**.

Witness [redacted], [redacted] of [redacted], was inside the store having a conversation with Deputy McZeal when they heard a loud crash. Witness [redacted] looked and saw a vehicle jumped the curb, hit some signs and crashed into Witness [redacted]'s vehicle. Witness [redacted] went to the break room and told Witness [redacted], [redacted] of [redacted], what she saw and for Witness [redacted] to come and check on her vehicle.

Witness [redacted] and Witness [redacted] exited the [redacted] and stood near the front entrance. Deputy McZeal approached the vehicle involved in the collision, to contact the occupants and ascertain what happened. Witness [redacted] saw Witness [redacted] as she stood by the passenger door "screaming hysterically" at Suspect Franco in an "uncontrollable" manner. Suspect Franco exited the driver's door of the vehicle and was contacted by Deputy McZeal. Deputy McZeal spoke to Suspect Franco and it appeared Suspect Franco was "dazed or confused" and backed away from Deputy McZeal.

Witness [redacted] explained she went back into the [redacted], retrieved her cellphone and attempted to call the manager of the store, to advise him of what just occurred. Witness [redacted] saw Witness [redacted] enter the store and observed that she did not have any shoes on her feet and appeared to have urinated on herself.

Witness [redacted] exited the [redacted] again and stood just outside the front entrance. Witness [redacted] saw Deputy McZeal walking backwards towards his vehicle and talking on the radio while Suspect Franco approached him and closed the distance between them. Suspect Franco and Deputy McZeal were facing each other and began to "struggle" and were "grasping" at each other, but "there weren't any punches thrown." Deputy McZeal pulled his handgun from the holster. Witness [redacted] turned from watching the interaction between Deputy McZeal and Suspect Franco, to enter the store, and heard a gunshot.

Witness [redacted] looked back and saw Suspect Franco running in her direction. Witness [redacted] further explained she ran into the [redacted] and saw Witness [redacted] running into the break room. Witness [redacted] ran to an opposite corner of the store near the beer section. Witness [redacted] saw Suspect Franco run towards the restroom, near the break room. There were no other customers inside the store. Witness [redacted] explained she did not see, but heard Deputy McZeal inside the store. Subsequently, she ran toward the front doors of the [redacted] and saw Deputy Barrera entering the store. Deputy Barrera told her to go outside.

Witness [redacted] further explained she saw Suspect Franco holding Witness [redacted] in a bear hug around her waist and from behind her. Deputy McZeal told Suspect Franco to "let her go" and Witness [redacted] repeatedly asked to be let go. Witness [redacted] saw Witness [redacted] get pushed to the floor by Suspect Franco and could no longer see her. Witness [redacted] saw Witness [redacted] run out of the [redacted] and they waited for the

deputies near the front entrance. Witness [redacted] stated she did not hear Suspect Franco say anything during the incident.

Witness [redacted]

On November 1, 2018, Witness [redacted] was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide Bureau casebook **[Exhibit A, Page 92]** and an interview transcript was included in the IAB casebook **[Homicide Transcript, [redacted], Pages]**.

Witness [redacted], [redacted] of [redacted], was on her lunch break in the storage room/break room (break room) located in the rear of the store near the restroom. Witness [redacted] explained Witness [redacted] went into the break room and told her that someone just crashed into her [redacted], which was parked in front of the store. Witness [redacted] exited the [redacted] with Witness [redacted] and saw a black vehicle crashed near her [redacted] Additionally, Witness [redacted] saw Suspect Franco pacing back and forth and Deputy McZeal standing approximately six or seven feet away from him. Witness [redacted] saw Witness [redacted] walking around the crashed black vehicle and appeared distraught as she repeatedly stated, "Oh, my gosh."

Witness [redacted] explained Witness [redacted] entered the [redacted] and purchased an ice coffee from her. Witness [redacted] and Witness [redacted] then walked back outside the store. Once outside, Witness [redacted] further explained she heard a gunshot and she and Witness [redacted] ran back into the [redacted], followed by Suspect Franco.

IAB Note: In reviewing the store video surveillance footage, Witness [redacted] was seen performing a purchase transaction with Witness [redacted] Witness [redacted] exited the [redacted] and Witness [redacted] remained behind the register. Witness [redacted] was seen running into the store and Witness [redacted] and Witness [redacted] ran towards the back of the store followed by Suspect Franco **[Exhibit C, 18K003, /Originals/CH03, elapsed time 46:44 - 46:46]**.

Witness [redacted] stated she ran to the break room and attempted to close the door behind her. As Witness [redacted] pushed the door closed, Suspect Franco placed his hand, between the door and door jamb, preventing it from closing. Suspect Franco forced the door open and entered the break room. Suspect Franco attempted to close the door with Witness [redacted] inside, but the door did not close all the way. Witness [redacted] exited the break room and Suspect Franco followed her, grabbed her around the waist, and threw her against the wall **[Homicide Transcript [redacted], Page 4]**.

Witness [redacted] further explained she and Suspect Franco fell to the floor and he (Franco) was "wrestling" with her. Suspect Franco continued to hold onto Witness [redacted] by her waistline from behind. Witness [redacted] heard Suspect Franco tell the deputies, "Look what I got." Deputies McZeal and Barrera pointed their guns at Suspect Franco and told him to let her go. Witness [redacted] stated one of the deputies pulled on

her leg in an attempt to free her from Suspect Franco's grasp. Witness [redacted] was eventually able to break free from Suspect Franco, with the assistance of the deputies, and ran outside of the store **[Homicide Transcript [redacted], Pages 18-20]**.

Witness [redacted]

On November 1, 2018, Witness [redacted] was interviewed by Homicide Bureau Investigators Perez and Shonka. The interview was summarized in the Homicide Bureau casebook [Exhibit A, Pages 97-99] and an interview transcript was included in the IAB casebook [Homicide Bureau Transcript, [redacted]].

Witness [redacted] stated on October 31, 2020, she was with Suspect Franco who was driving her car on the freeway somewhere near the "[redacted]" where they crashed. Suspect Franco was driving extremely recklessly, and Witness [redacted] was scared and believed Suspect Franco was "High." Suspect Franco ran into another vehicle on the freeway and continued driving recklessly into oncoming traffic refusing to let Witness [redacted] drive. Suspect Franco exited the freeway, jumped the curb, hit a sign and crashed into a parked vehicle.

Witness [redacted] explained she exited the vehicle, saw Deputy McZeal and was crying and yelling at Suspect Franco. As Deputy McZeal approached her, he asked what happened and she walked past him into the [redacted] Inside the store, Witness [redacted] purchased a drink, walked back outside and stood near the trashcan in front of the [redacted] Witness [redacted] saw Suspect Franco fighting with Deputy McZeal and trying to pin his arms. Witness [redacted] yelled, "Rashaad!" and attempted to get Suspect Franco to stop his assault on Deputy McZeal. Witness [redacted] heard a gunshot, saw smoke, and Suspect Franco reacted as though he was shot and ran inside the [redacted] Deputy McZeal followed Suspect Franco into the [redacted], followed by another deputy who arrived on scene (Deputy Barrera).

Witness [redacted] explained she did not see or hear anything that occurred inside the [redacted], after Suspect Franco and the deputies ran inside. Witness [redacted] further explained she was previously told by Suspect Franco that he "fought" with the police in the past and she knew him to be "violent" with her. Witness [redacted] told Homicide investigators that Suspect Franco slapped her and pulled her hair, the day prior, on October 31, 2018, and pushed her out of the driver's seat of the vehicle and onto the freeway earlier before they crashed. Witness [redacted] believed Suspect Franco used methamphetamine on October 30, 2018.

SUSPECT STATEMENTS

Suspect Rashaad Franco

On November 11, 2018, Suspect Franco was interviewed by Homicide Bureau Investigators Shonka and Perez. The interview was audio recorded and summarized in the Homicide Bureau casebook **[Exhibit A, Pages 99-100]**. During Suspect Franco's

interview with Homicide Bureau investigators, he invoked his right to an attorney and refused to answer questions regarding the deputy involved shooting. Homicide Bureau investigators informed Suspect Franco he assaulted a deputy and tried to take his gun. Suspect Franco did not have any recollection of his actions related to his involvement with a deputy.

On November 2, 2020, IAB investigator obtained an audio recording of Suspect Franco's interview from Homicide Investigator Shonka. The interview was transcribed and included in the IAB casebook **[Homicide Transcript, Rashaad Franco]**.

On November 4, 2020, IAB Investigator Sergeant Rodriquez left a voice message for Suspect Franco's attorney, Leslie Gordon, requesting to interview her client. Ms. Gordon called IAB Operations Lieutenant, Ronald Kopperud, #[redacted], on November 4, 2020, and relayed her desire for IAB Investigators not to contact or speak to Suspect Franco regarding the Internal Affairs Bureau investigation.